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10/670,030	09/24/2003	Vivien Johan Cambridge	MS-783-A	5019

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EXAMINER

FIELDS, BENJAMIN S

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/670,030	Applicant(s) CAMBRIDGE, VIVIEN JOHAN	
	Examiner BENJAMIN S. FIELDS	Art Unit 3684	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 July 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The following is a **FINAL** Office Action in response to the communication received on 23 July 2010. Claims 9-21 are now pending in this application.

Response to Amendments

2. The Examiner acknowledges the Applicant's amendment of Claims 6-10 in regards the originally asserted 35 U.S.C. 112 2nd Paragraph Rejection of Claims 6-10. As such, the Examiner removes the originally asserted 35 U.S.C. 112 2nd Paragraph Rejection of Claims 6-10.

3. Applicant's Amendment has been acknowledged in that: **Claims 9-10 have been newly amended; Claims 6-8 have been newly cancelled; Claims 11-21 have been newly added**; hence, as such, **Claims 9-21 are pending in this application**.

4. An examination of this application reveals that applicant is unfamiliar with patent prosecution procedure. While an inventor may prosecute the application, lack of skill in this field usually acts as a liability in affording the maximum protection for the invention disclosed. **Applicant is advised to secure the services of a registered patent attorney or agent to prosecute the application, since the value of a patent is largely dependent upon skilled preparation and prosecution. The Office cannot aid in selecting an attorney or agent.**

A listing of registered patent attorneys and agents is available on the USPTO Internet web site <http://www.uspto.gov> in the Site Index under "Attorney and Agent Roster." Applicants may also obtain a list of registered patent attorneys and agents

located in their area by writing to the Mail Stop OED, Director of the U. S. Patent and Trademark Office, PO Box 1450, Alexandria, VA 22313-1450.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 9-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sandvick et al. (US Pat. No. 6,368,268), [hereinafter Sandvick] in view of Hovland et al. (US Pat. No. 6,169,914), [hereinafter Hovland].

Referring to Claims 11 and 21: Sandvick shows a remote control and feedback system comprising a local station and a remote station (Sandvick: Abstract; Figure 1): the local station comprising: [a first tube containing a pneumatic fluid], the first tube covered at one end by a flexible rubber fitting and at an opposite end by a second fitting (Sandvick: Abstract; Figure 1; Column 1, Line 57-Column 2, Line 18); a second tube [in fluid communication with the first tube] via a hose, the second tube including a piston driven by a rod, displacement of the rod and piston within the second tube [resulting from the pneumatic fluid being displaced into or out of the first tube], the displacement generating an electronic displacement signal communicated to an input CPU (Sandvick: Abstract; Figure 1; Column 1, Line 57-Column 2, Line 18; Column 2, Line 52-Column 4, Line 51; Claims 1-10); the remote station comprising: an output CPU receiving from the

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input CPU a signal input corresponding to the displacement signal (Sandvick: Abstract; Figure 1; Column 1, Line 57-Column 2, Line 18; Column 2, Line 52-Column 4, Line 51; Claims 1-10); a motor activated by the output CPU (Sandvick: Figures 1-3; Column 1, Line 57-Column 2, Line 18; Column 2, Line 52-Column 4, Line 51; Claims 1-20); a thrusting tube positioned inside a steadying tube (Sandvick: Figures 1-3; Column 1, Line 57-Column 2, Line 18; Column 2, Line 52-Column 4, Line 51; Claims 1-20); a phallic object attached to an end of the thrusting tube, the motor energizing movement of the thrusting tube (Sandvick: Figures 1-3; Claims 1-20).

Sandvick, however, does not expressly discuss the local station comprising: a first tube containing a pneumatic fluid; a second tube in fluid communication with the first tube via a hose, the second tube including a piston driven by a rod, displacement of the rod and piston within the second tube resulting from the pneumatic fluid being displaced into or out of the first tube.

Hovland, in a similar environment, shows the local station comprising: a first tube containing a pneumatic fluid (Hovland: Abstract; Figures 1, 2, 4); a second tube in fluid communication with the first tube via a hose, the second tube including a piston driven by a rod, displacement of the rod and piston within the second tube resulting from the pneumatic fluid being displaced into or out of the first tube (Hovland: Abstract; Figures 1, 2, 4; Claims 1-10).

At the time of invention it would have been obvious to one of ordinary skill in the art to modify the method of Sandvick for a method and device for interactive virtual control of sexual aids using digital computer networks with the features of Hovland for

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devices and methods for monitoring female arousal for the purpose of effectuating and controlling a stimulation aid from a remote location via/for a recipient (Sandvick: Abstract; Column 1, Lines 42-67).

Referring to Claim 9: Sandvick discusses a remote control and feedback system wherein the remote station includes a video camera for monitoring interaction of the phallic object with a remote person at the remote station and producing video signals corresponding to the interaction (Sandvick: Figures 1-3; Column 1, Line 57-Column 2, Line 18; Column 2, Line 52-Column 4, Line 51; Claims 1-12).

Referring to Claim 10: Sandvick teaches a remote control and feedback system wherein the local station includes a local video receiver and where the remote station includes a video transmitter for transmitting remote video signals to the local video receiver for viewing by a local user at the local station (Sandvick: Figures 1-3; Column 1, Line 57-Column 2, Line 18; Column 2, Line 52-Column 4, Line 51; Claims 1-20).

Referring to Claim 12: Sandvick shows a remote control and feedback system wherein the first tube further comprises an elongated bag vented to air outside the first tube (Sandvick: Figures 1-3; Column 1, Line 57-Column 2, Line 18; Column 2, Line 52-Column 4, Line 51; Claims 1-20).

Referring to Claim 13: Sandvick discusses the limitations of Claim 11.

Sandvick, however, does not expressly teach the spring pressing against the piston so that the pneumatic fluid is always under pressure and so that the piston always returns to a rest position after the system has undergone a perturbation.

Hovland, in a similar environment, shows the spring pressing against the piston so that the pneumatic fluid is always under pressure and so that the piston always returns to a rest position after the system has undergone a perturbation (Hovland: Abstract; Figures 1, 2, 4; Claims 1-10).

At the time of invention it would have been obvious to one of ordinary skill in the art to modify the method of Sandvick for a method and device for interactive virtual control of sexual aids using digital computer networks with the features of Hovland for devices and methods for monitoring female arousal for the purpose of effectuating and controlling a stimulation aid from a remote location via/for a recipient (Sandvick: Abstract; Column 1, Lines 42-67).

Referring to Claim 14: Sandvick shows the limitations of Claim 11.

Sandvick, however, does not expressly disclose wherein the pneumatic fluid in the second tube is enclosed in a flexible balloon to ensure no fluid leakage past the piston.

Hovland, in a similar environment, teaches wherein the pneumatic fluid in the second tube is enclosed in a flexible balloon to ensure no fluid leakage past the piston (Hovland: Abstract; Figures 1, 2, 4; Claims 1-10).

At the time of invention it would have been obvious to one of ordinary skill in the art to modify the method of Sandvick for a method and device for interactive virtual control of sexual aids using digital computer networks with the features of Hovland for devices and methods for monitoring female arousal for the purpose of effectuating and

controlling a stimulation aid from a remote location via/for a recipient (Sandvick: Abstract; Column 1, Lines 42-67).

Referring to Claim 15: Sandvick shows a remote control and feedback system further comprising a wheel having apertures near a perimeter, the wheel being in contact with the rod in such relationship that movement of the rod causes spinning of the wheel (Sandvick: Figures 1-3; Column 1, Line 57-Column 2, Line 18; Column 2, Line 52-Column 4, Line 51; Claims 1-20).

Referring to Claim 16: Sandvick shows the limitations of Claim 11.

Sandvick, however, does not expressly disclose allowing correlation to amounts of pneumatic fluid being displaced from the first tube.

Hovland, in a similar environment, teaches allowing correlation to amounts of pneumatic fluid being displaced from the first tube (Hovland: Abstract; Figures 1, 2, 4; Claims 1-10).

At the time of invention it would have been obvious to one of ordinary skill in the art to modify the method of Sandvick for a method and device for interactive virtual control of sexual aids using digital computer networks with the features of Hovland for devices and methods for monitoring female arousal for the purpose of effectuating and controlling a stimulation aid from a remote location via/for a recipient (Sandvick: Abstract; Column 1, Lines 42-67).

Referring to Claim 17: Sandvick discloses a remote control and feedback system further comprising a coil spring activated by the motor, the coil spring rotating around a longitudinal axis of a shaft of the motor, the coil spring being at least partially inserted

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within the thrusting tube (Sandvick: Figures 1-3; Column 1, Line 57-Column 2, Line 18; Column 2, Line 52-Column 4, Line 51; Claims 1-20).

Referring to Claim 18: Sandvick teaches a remote control and feedback system wherein the motor at the remote station imparts motion to a coil spring which then energizes downstream the movement of the thrusting tube (Sandvick: Figures 1-3; Column 1, Line 57-Column 2, Line 18; Column 2, Line 52-Column 4, Line 51; Claims 1-20).

Referring to Claim 19: Sandvick discusses a remote control and feedback system wherein the thrusting tube protrudes outward from one end of the steadying tube (Sandvick: Figures 1-3; Column 1, Line 57-Column 2, Line 18; Column 2, Line 52-Column 4, Line 51; Claims 1-25).

Referring to Claim 20: Sandvick shows a remote control and feedback system wherein the motor at the remote station imparts rotary motion to an arm which then energizes downstream the movement of the thrusting tube (Sandvick: Figures 1-3; Column 1, Line 57-Column 2, Line 18; Column 2, Line 52-Column 4, Line 51; Claims 8-32).

Response to Arguments

7. Applicant's arguments filed 23 July 2010 have been fully considered but have been found to be **moot** and **non-persuasive** in view of the **new grounds of rejection**.

Conclusion

8. Applicant's amendment necessitated the new grounds of rejection presented herein. Accordingly, **THIS ACTION IS MADE FINAL**. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication should be directed to BENJAMIN S. FIELDS at telephone number 571.272.9734. The examiner can normally be reached MONDAY THRU FRI between the hours of 9AM and 7PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, KAMBIZ ABDI can be reached at 571.272.6702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Thomas Dixon/

Primary Examiner, Art Unit 3684

Benjamin S. Fields

12 November 2010